

DATE MAILED: 11-16-99

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DOCKET: LE9-97-123 APPLICATION OF: ASKREN ET AL

TITLE: INK JET CARTRIDGE STRUCTURE

SERIAL: 09/089,698 FILE DATE: JUNE 3, 1998

ATTORNEY: D BRENT LAMBERT





Practitioner's Docket No. LE9-97-123

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Askren, Benjamin Alan; Lattuca, Michael David; Murthy, Ashok; Nowell, Jr.,
Ronald Monroe; Oliver, Darrin Wayne; Raulinaitis, Michael; Spitz, Donald
Norman; Sullivan, Carl Edmond; and Ward, David Amos

Application No.: 09/089,698

Group No.: 2853

Filed: June 3, 1998

Examiner: D. Spitz

For: Ink Jet Cartridge Structure

Assistant Commissioner for Patents
Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. 1.97(c))**

**TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either

- (1) a final action under § 1.113 or
(2) a notice of allowance under § 1.311

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2. Accompanying this transmittal is the fee

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3. Applicant elects the option to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$240.00).

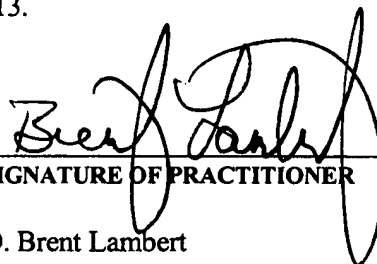
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SIGNATURE OF PRACTITIONER

D. Brent Lambert
Lexmark International, Inc.
740 West New Circle Road
Lexington, KY 40550 US

Complete if Known

(use as many sheets as necessary)

Application Number	09/089,698
Filing Date	06/03/1998
First Named Inventor	Benjamin Alan Askren
Group Art Unit	2853
Examiner Name	D. Spitz
Attorney Docket Number	LE9-97-123

[illegible][illegible]

Date Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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April 26, 2004
Paula Kiser
Paula Kiser

Practitioner's Docket No. LE9-97-123

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Donald Norman Spitz et al. : Paper No. _____
Application No.: 09/089,698 : Group No.: 2853
Filed: June 3, 1998 : Examiner: Brooke, M.

For: **INK JET CARTRIDGE STRUCTURE**

**Mail Stop Issue Fee
Commissioner for Patents
Alexandria, Virginia 22313-1450
(703) 746-4000**

**CONSIDERATION OF PRIOR FILED INFORMATION DISCLOSURE
STATEMENT**

Dear Sir:

In the Office Action dated February 18, 2000, the Examiner indicated that the Information Disclosure Statement received by the office on November 24, 1999, had been considered (which was mailed by the Applicants on November 16, 1999). Although the action indicates that a copy of the IDS was returned with the action, it appears that a prior IDS (which had already been considered) was returned instead. As it appears that the Examiner has already considered the references cited therein, and the same is probably already in the file, the Applicants respectfully request that the Examiner return a copy of the IDS mailed by the Applicants on November 16, 1999, showing the Examiner's initials by the references to confirm that they were each considered.

Submitted herewith is a copy of the PTO Form 1449, as filed on November 16, 1999, and a copy of a postcard returned by the office to indicate its receipt. Copies of the references were submitted on November 16, 1999. If the Examiner requires a second set of the references, please contact the undersigned attorney.

Although the undersigned believes these references have already been considered by the Examiner, to the extent that they have not, the Applicants respectfully request consideration. Since the prior statement was filed before the mailing date of a notice of allowance or final office action, and the Applicants authorized payment of the fee required under 37 CFR 1.17(p), no further certification or fee is believed to be required. However, in an abundance of caution, any fees required in connection with this communication may and should be charged to Deposit Account No. 12-1213.

Respectfully submitted,
DONALD NORMAN SPITZ ET AL.

A handwritten signature in black ink, appearing to read "Scott N. Barker", with a long horizontal flourish extending to the right.

Scott N. Barker
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